

Restart of the Review of the Yucca Mountain License Application

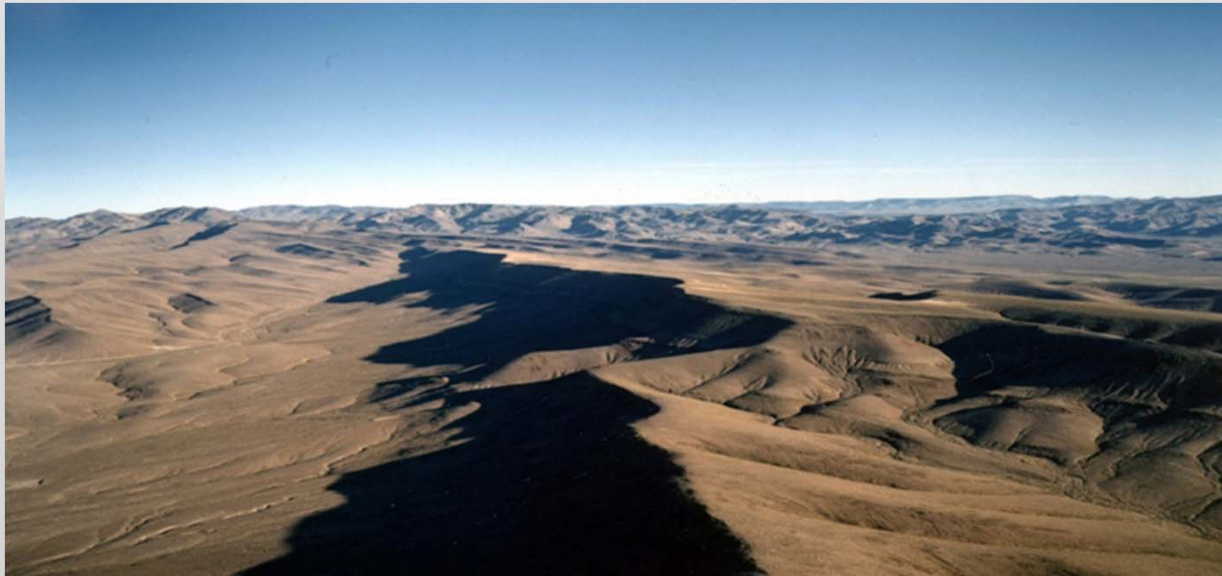


**NMMSS USERS
ANNUAL TRAINING MEETING
DENVER, CO
MAY 14, 2014**

JAMES ANDERSEN
DEPUTY DIRECTOR
DIVISION OF FUEL CYCLE SAFETY AND SAFEGUARDS
OFFICE OF NUCLEAR MATERIAL SAFETY
AND SAFEGUARDS

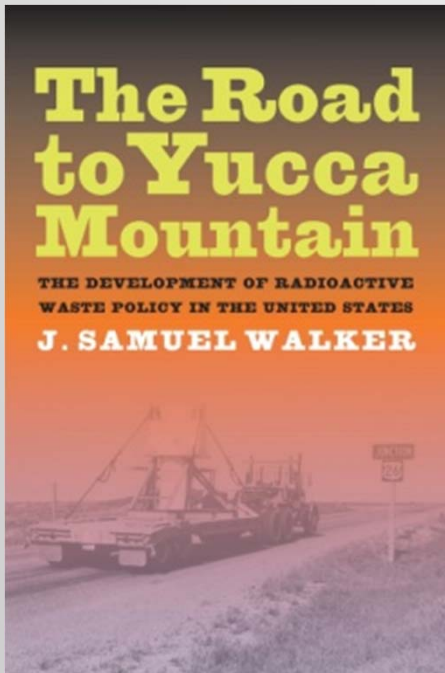
Overview

- Background
- NRC Current Activities
 - Yucca Mountain Safety Evaluation Report
 - Environmental Impact Statement Supplement



Background: NWPA

- The U.S. Nuclear Waste Policy Act (NWPA) of 1982 established permanent geological disposal as the national policy for spent nuclear fuel and high-level radioactive waste



- Assigned responsibilities to Department of Energy (DOE), Environmental Protection Agency (EPA), and Nuclear Regulatory Commission (NRC)
 - DOE: repository design and operation
 - EPA : setting protection standards
 - NRC: regulatory licensing and oversight
- Established a Nuclear Waste Fund
- Amendments in 1987 selected only Yucca Mountain, Nevada, for further site activities

Background: Regulations

- Disposal of High-Level Radioactive Wastes in Geologic Repositories
 - EPA : 40 CFR Part 191 (1985*)
 - NRC: 10 CFR Part 60 (1981*)
- Disposal of High-Level Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada
 - EPA : 40 CFR Part 197 (2001*)
 - NRC: 10 CFR Part 63 (2001*)

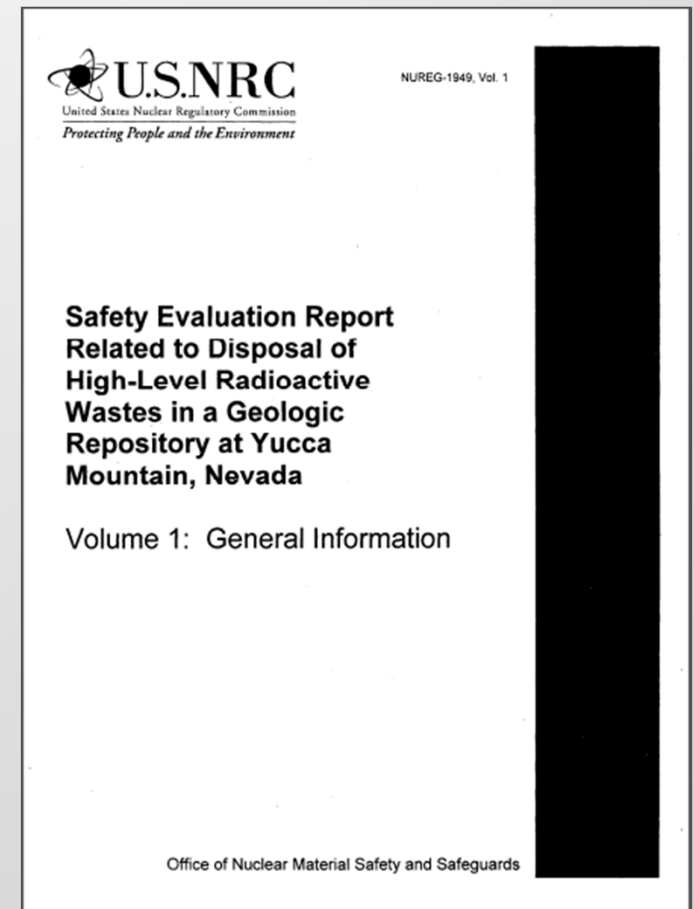
* with subsequent revisions

Background: Yucca Mountain

- DOE License Application for construction authorization of a repository at Yucca Mountain
 - Submitted June 2008
 - Accepted for docketing September 2008
 - Notice of Hearing issued October 2008
- NRC Staff adoption determination for DOE Environmental Impact Statements (EIS)
 - Adoption Determination Report issued September 2008
 - Identified need for supplementation on groundwater

Background: Yucca Mountain

- NRC issued Safety Evaluation Report Volume 1 in August 2010
- NRC began orderly shutdown of review in September 2010
 - Staff began knowledge capture
 - Adjudicatory proceeding suspended in September 2011
- Staff publications
 - Technical Evaluation Reports (3 volumes; Aug.-Sept. 2011)
 - Other technical documents



Background: Court Actions

- Suit filed in 2011 with the Court of Appeals for the District of Columbia Circuit seeking resumption of NRC review
- Court of Appeals Order issued August 2013:
“...unless and until Congress authoritatively says otherwise or there are no appropriated funds remaining, the Nuclear Regulatory Commission must promptly continue with the legally mandated licensing process.”

NRC Response

- Commission Order and Staff Requirements Memorandum issued November 2013
 - Directed staff to complete the Safety Evaluation Report
 - Directed the Secretary of the Commission and staff to preserve record documents in ADAMS
 - Requested that DOE complete the supplement to its Environmental Impact Statement
 - Continued to hold the adjudicatory proceeding in abeyance

NRC Response

- Commission Order and Staff Requirements Memorandum issued January 2014
 - “...we expect the staff to complete a robust review addressing all applicable regulatory requirements...”
 - Further direction provided to staff on making record documents public in ADAMS



Completing the SER

- SER planned for completion by January 2015, starting with documentation from previous review activity
- Review team assembled and working
- Documents loaded into ADAMS
- All references cited in SER will be publicly available



DOE License Application,
Environmental Impact
Statements, and
supporting documents,
June, 2008

Supplement to the EIS

- On February 28, 2014, DOE notified NRC that
 - it would not prepare a supplement to its EIS to address the issues identified by NRC staff in its adoption determination report
 - it would provide an update to its technical report from 2009 on postclosure groundwater impacts of a geologic repository for disposal of spent nuclear fuel and high-level radioactive waste at Yucca Mountain
- On April 7, 2014, NRC held a public meeting with DOE
 - To discuss revision of the technical report
 - DOE indicated NRC will receive the report soon

Questions?



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